

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 3 (Revision 2)

ITEM

Consideration Of A New Full Solid Waste Facilities Permit (Transfer/Processing Station, Compostable Materials Handling Facility) For The South Lake Resource Recovery And Compost Facility On Quackenbush Mountain, Lake County

I. ISSUE/PROBLEM STATEMENT

1. This item requests the Board consider concurrence in the issuance of a new Solid Waste Transfer/Processing Station Permit for the South Lake Resource Recovery and Compost Facility on Quackenbush Mountain.
2. Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur with or object to the issuance of a full Solid Waste Facilities Permit (SWFP). The proposed SWFP for this facility was received on January 11, 2005; therefore, the last day the Board could act on the proposed SWFP is March 12, 2005. The proposed SWFP package contained all the items required in Title 27, California Code of Regulations, Section 21685. The date for submittal of a proposed permit that would allow 60 days for Board review prior to the February Board meeting was December 17, 2004.

II. ITEM HISTORY

This is a new permit. Text shown in single underline (with the exception of paragraph headings) and single strikeout depict changes made shortly before the February 10, 2005 Permitting and Enforcement Committee meeting. Double underline or double strikeout depict changes made after the Committee meeting.

III. OPTIONS FOR THE BOARD

The Board may decide to do one of the following:

1. Concur in the issuance of the proposed SWFP as submitted by the local enforcement agency (LEA).
2. Object to the issuance of the proposed SWFP as submitted by the LEA.
3. Take no action on the proposed SWFP as submitted by the LEA. If the Board chooses this option, the Board shall be deemed to have concurred in the issuance of the proposed SWFP 60 days after the Board's receipt of the SWFP.

IV. STAFF RECOMMENDATION

Board staff recommends Board approval of Option 1, concurrence in the issuance of the proposed SWFP as submitted by the LEA. ~~2, Object to the issuance of the proposed SWFP pursuant to 44009(a)(2) in that there is not consistency with SMS as there is an outstanding violation of the Record Keeping standard of Title 14, CCR, section 17869(h) Training.~~ 1, concurrence in the issuance of the proposed SWFP as submitted by the LEA if the site is found in conformance with the Non-disposal Facility Element (NDFE) and State Minimum Standards.

V. ANALYSIS

A. Key Issues and Findings

Name of Facility: South Lake Resource Recovery and Compost Facility on Quackenbush Mountain (SLRRC)

Facility No.: 17-AA-0014

Facility Type: New Large Volume Transfer/Processing Station and a Compostable Materials Handling Facility.

Location: 16520 Davis Avenue, Clear Lake, CA 95422 which is on Assessor's Parcel Number (APN) 010-053-11 located within Section 23, Township 13 North, Range 7 West, Mt. Diablo Baseline and Meridian.

Permitted Area: 23 total acres: 5.85 (5.0 acres for processing and .85 acres for pad) for the C&D Debris Processing Activity; 15.55 acres (12.55 for composting area and 3.0 acres for feedstock and finished product storage) for the Compostable Materials Handling Activity, and 1.6 acres for roads and buffer between the two activities.

Setting: The zoning for the surrounding land uses are designated as Planned Development Commercial. Existing land uses in the vicinity are primarily vacant and located in a remote area. The proposed facility is approximately 3 miles from the majority of homes. In the middle of the 231-acre parcel (APN 010-053-11) and to the east is the Hitchcock Farmstead which is not part of the project; it consists of a few residences, orchards and grazing lands. One residence in the Hitchcock Farmstead is located 1200 feet downwind from the proposed facility.

Land surrounding the parcel to the north is vacant property comprised of large rural parcels. Vegetation includes chaparral and oak trees. To the south is the Eastlake Landfill. To the east is steep terrain, vacant Bureau of Land Management property and chaparral with sparse pine. To the west are rural vacant parcels and agricultural uses more than a mile from the proposed facility.

Current Operational Status: Existing Enforcement Agency (EA) Notification for Compostable Materials Handling Operation.

Proposed Daily Loading: 460 (tpd) total - 200 tpd of C&D debris and 260 tpd of compostable material.

Current Capacity: 100 tons per day (tpd) and up to 12,500 cubic yards of compostable material on site at anytime.

Proposed Capacity: 6,000 tons or 14,000 cubic yards (using a conversion factor of 500 cubic yards per of total C&D material on site at any one time and 60,000 cubic yards of total compostable materials on site at any one time.

Proposed and Current

Hours of Operation: 7 days per week: Receipt of Materials - 7:00 a.m. to 6:00 p.m.
Processing of Materials - 7:00 a.m. to 6:00 p.m.
Maintenance Hours – 24 hours

Waste Types: Mixed C&D debris, mobile home deconstruction debris, dry wall material, and soil (no municipal solid waste).
Compost Feedstock: Green material, agricultural material (grape pomice), and dry wall material (no municipal solid waste).

Amendments/
Additives: Gypsum, dry wall material, wood chips

Compost Process: Windrows or Aerated Static Piles

Owner: Bob and Marvin Pestoni
c/o South Lake Refuse & Recycling
P.O. Box 569
Lower Lake, CA 95457

Operator: Mr. Bob Pestoni
P.O. Box 569
Lower Lake, CA 95457

Permitted Traffic
Volume: 100 vehicles per day.

Enforcement Agency: Ray Ruminski, Director
Lake County Environmental Health Division

Background

- The proposed Transfer/Processing Station and proposed Compostable Materials Handling Facility will be located at the existing Compostable Materials Handling Operation at 16530 Davis Avenue approximately 2.5 miles south of the City of Clear Lake in southeast Lake County. The facility is operated by Mr. Bob Pestoni.
- A General Plan Amendment, Rezone, and General Plan of Development, and Initial Study were adopted by the Lake County Board of Supervisors on December 23, 2003 with the certification of the Negative Declaration.
- On September 13, 2004, the LEA issued an EA Notification for a 15.5 acre compost site with limits of 100 tpd and up to 12,500 cubic yards of compostable material on site at any one time.
- Lake County Department of Public Services operates the adjacent East Lake Landfill, which operates under a separate SWFP (17-AA-0001). The permitted landfill boundary will remain separate from that of the SLRRC facility.
- The facility will employ the windrow composting process or the aerated static pile process utilizing green materials and agricultural materials as feedstocks, along with gypsum as an additive. The main components of the compostable materials are green material, grape pomace and drywall.

- The facility will also process mixed C&D debris and mobile home deconstruction debris. The main components of mixed C&D debris are inerts, metals, wood and dry wall debris. The main components of mobile homes are metals, wood, dry wall, and carpet debris.

Key Issues

The proposed SWFP includes the following changes:

- New Transfer/Processing Station with a design capacity of 6,000 tons on site at any one time;
- Increase in the design capacity from the existing Compostable Materials Handling Operation at 12,500 cubic yards of total compostable materials to 60,000 cubic yards of total compostable materials on site at any one time at the Compostable Materials Handling Facility; and
- Increase in the daily tonnage to 460 tons per day (tpd) for the entire facility (200 tpd of C&D debris and 260 tpd of compostable material) from the existing Compostable Materials Handling Operation tonnage of 100 tpd.

LEA Findings

The LEA has certified the following:

1. The permit application for this facility is complete and correct.
2. The Transfer/Processing Report (TPR) meets the requirements of Title 14, CCR, Section, 18221.6. The January 3, 2005 TPR includes the requirements of the C&D/Inert Debris Processing Facility Report, Title 14, CCR, Section 18223.5 and includes the requirements of the Report of Composting Site Information (RCSI) Title 14, CCR, Section 17863.
3. The proposed permit is consistent with and supported by the existing California Environmental Quality Act (CEQA) documentation.

Staff Analysis

The following table summarizes Board staffs' review and analysis of the proposed SWFP application package:

17-AA-0014 Summary of Findings	Accept- able	Unaccept- able	To Be Determined	Not Applicable	See Details Below
CIWMP Conformance (PRC 50001)	X				1.
Consistent With State Minimum Standards	<u>X</u>		<u>X</u>	<u>X</u>	2.
Report of Facility Information Completeness	X				3.
California Environmental Quality Act	X				B.

1. CIWMP Conformance: Public Resources Code (PRC) Section 50001 requires the location of any new or expanded nondisposal facility to be identified in the applicable jurisdiction's Nondisposal Facility Element (NDFE) in order for the proposed SWFP to be found in conformance with PRC Section 50001. The SLRRC is identified in the County's NDFE. The Office of Local Assistance staff found the proposed permit to be in conformance with the County's NDFE.
2. Consistency with State Minimum Standards:
At the time this item was prepared, Board staff had scheduled a pre-permit inspection of the facility. During the pre-permit inspection, Board staff and the LEA determined that the operator was in violation of six Title 14, CCR, SMS as follows:

- Section 17869(a) for Record Keeping – Location & Availability
- Section 17869(b) for Record Keeping – Special Occurrences
- Section 17869(c) for Record Keeping – Public Complaints
- Section 17869(d) for Record Keeping – Quantity & Type of Material
- Section 17869(e) for Record Keeping – Load Checks
- Section 17869(h) for Record Keeping – Training

At the February 10, 2005 Permitting & Enforcement Committee meeting, the only violation that was still outstanding was section 17869(h) for Record Keeping – Training. Because of this outstanding violation, the Committee referred the item on to the Board and recommended Board concurrence provided that the training records were provided prior to the February 15, 2005 Board meeting. On February 11, 2005, the operator provided the Training records to the LEA and the operator is now in compliance with all SMS. As of the time this item was revised, the only outstanding violation that had not been corrected to the satisfaction of the LEA was Section 17869(h) for Record Keeping – Training.

~~Staff determination of the facility's compliance with the applicable State Minimum Standards will be presented at the Permitting & Enforcement Committee meeting on February 10, 2005.~~

B. Environmental Issues

California Environmental Quality Act (CEQA):

The Lake County Community Development Department (LCCDD), acting as lead agency, prepared and circulated the following environmental document (ED) for CEQA compliance for the South Lake Resource Recovery and Composting Facility (SLRRC) near Clearlake in Lake County:

- Mitigated Negative Declaration (MND), State Clearinghouse (SCH) No. 2003112049, for the design and operation of a large volume transfer/processing facility including the operation of a C&D and Inert Debris Processing Facility (CDIDF), and Compostable Materials Facility (CMF) for the issuance of new SWFP No. 17-AA-0014. The MND was circulated to by the LCCDD for review and comment on November 13, 2003. Permitting and Inspection (P&I) Branch staff commented on the MND in a letter dated December 10, 2003. The MND was adopted by the Lake County Planning Commission on December 11, 2003, and the project was approved by the Lake County Board of Supervisors on December 23, 2003. A Notice of Determination was filed with the County Clerk by the LCCDD on December 31, 2003.

The MND states that the CDIDF will only sort and process C&D and inert debris materials (no municipal solid waste) on an approximately 100 by 200 foot pad and that any residual remaining after sorting will be transported to the Eastlake Landfill for disposal. The MND also states that the composting methods/processes at the CMF are to be “adapted to meet the needs of the feedstock and the product and may include windrow composting, aerated static or non-aerated static pile composting, enclosed or within-vessel composting such as an Ag-Bag operation, combinations of these processes or alternative processes developed to meet facility needs. Amendments to the compost process may include wood chips, clean soils, clay, or other materials.” The following waste types are prohibited at the composting facility: hazardous wastes,

medical wastes, designated wastes, liquid wastes, hot ashes or burning material, biosolids and sludge, ash, and refuse.

The CDIDF and the CMF will be located on an upper plateau area, which is shielded from view from areas south, east, and west of the site. A minimum buffer of 100 feet will be maintained from the north property line and areas onsite to the west are planned as vineyard. Areas directly south and east of the facilities are to be preserved as an oak woodland area and potential sensitive habitat for the pallid bats. This area contains rock cliffs that form a break in the grade between the upper plateau area and the open slope areas to the south and east. All composting and C&D and inert debris materials will occur on an “inert debris engineered pad” constructed of clean broken concrete and asphalt concrete debris, brick, ceramics, clay and clay products, rock, and soil, which will provide for all weather operations.

The LEA has provided a finding in Section 13.e. of the SWFP that “The CEQA document describes and supports the design and operation which will be authorized by the issuance of this permit.” Permitting and Inspection (P&I) Branch staff have determined that the project proposals are consistent with, and supported by the MND, and the issuance of new SWFP No. 17-AA-0014.

Board staff recommends that the MND cited above is adequate for the Board’s environmental evaluation of the proposed project (concurrence on the issuance of SWFP No. 17-AA-0014) for those project activities which are within the Board’s expertise and/or powers, or which are required to be carried out or approved by the Board.

C. Program/Long Term Impacts

Based on available information, staff is not aware of any program or long-term impacts related to this item.

D. Stakeholder Impacts

Based on available information, staff is not aware of any stakeholder impacts related to this item.

E. Fiscal Impacts

No fiscal impact to the Board results from this item.

F. Legal Issues

Based on available information, staff is not aware of any legal issues related to this item.

G. Environmental Justice

Community Setting

The zoning for the surrounding land uses are designated as Planned Development Commercial. Existing land uses in the vicinity are primarily vacant and located in a remote area. The proposed facility is approximately 3 miles from the majority of homes. In the middle of the 231-acre parcel (APN 010-053-11) and to the east is the Hitchcock Farmstead which is not part of the project; it consists of a few residences, orchards and grazing lands. One residence in the Hitchcock Farmstead is located 1200 feet downwind from the proposed facility.

Land surrounding the parcel to the north is vacant property comprised of large rural

parcels. Vegetation includes chaparral and oak trees. To the south is the Eastlake Landfill. To the east is steep terrain, vacant Bureau of Land Management property and chaparral with sparse pine. To the west are rural vacant parcels and agricultural uses more than a mile from the proposed facility.

US Census Bureau Data Census 2000 Lake County	All Ages	
	Number	Percent
White	50,289	86.2%
Black or African American	1,233	2.1%
American Indian & Alaska Native	1,772	3.0%
Asian	482	.8%
Native Hawaiian & Other Pacific Islander	93	0.2%
Some Other Race	2,398	4.1%
Two or More Races	2,042	3.5%
Total Population	58,309	100%

The 2000 Census indicates that of the total Lake County population, 11.4% identify themselves as Hispanic or Latino origin. The 1999 Census indicates that the median household income of the county is \$29,627 with 17.6 % of the families below the poverty level.

Community Outreach

The aforementioned ND was noticed and circulated in accordance with the CEQA. No other community outreach efforts were made relative to the matters of this project. Since this is a new SWFP application, the AB 1497 requirements regarding a public hearing are not applicable.

Environmental Justice Issues

Based on available information, Board staff is not aware of any environmental justice issues.

H. 2001 Strategic Plan

Staff work on new or revised solid waste facility permits is completed as part of Goal 4: Managing and mitigating the impacts of solid waste on public health and safety and the environment and promoting integrated and consistent permitting, inspection, and enforcement efforts.

VI. FUNDING INFORMATION

This item does not require any Board fiscal action.

VII. ATTACHMENTS

1. Location Map
- 2 a. Site Plan
- 2 b. Site Plan
3. Proposed Permit No. 17-AA-0014
4. Resolution Number 2005-33

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Allison Spreadborough

Phone: (916) 341-6366

B. Legal Staff: Michael Bledsoe

Phone: (916) 341-6058

C. Administration Staff: None

Phone: NA

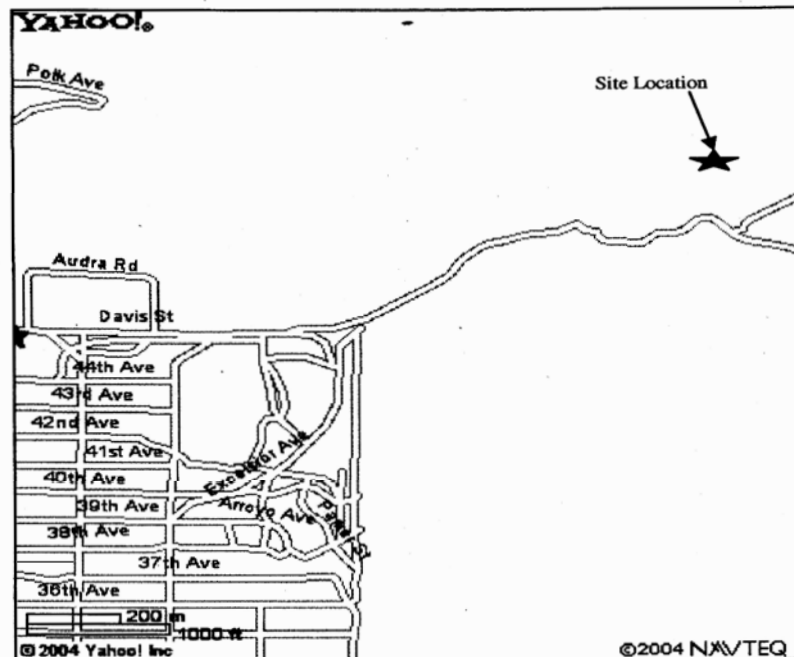
IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

Mr. Bob Pestoni, owner and operator

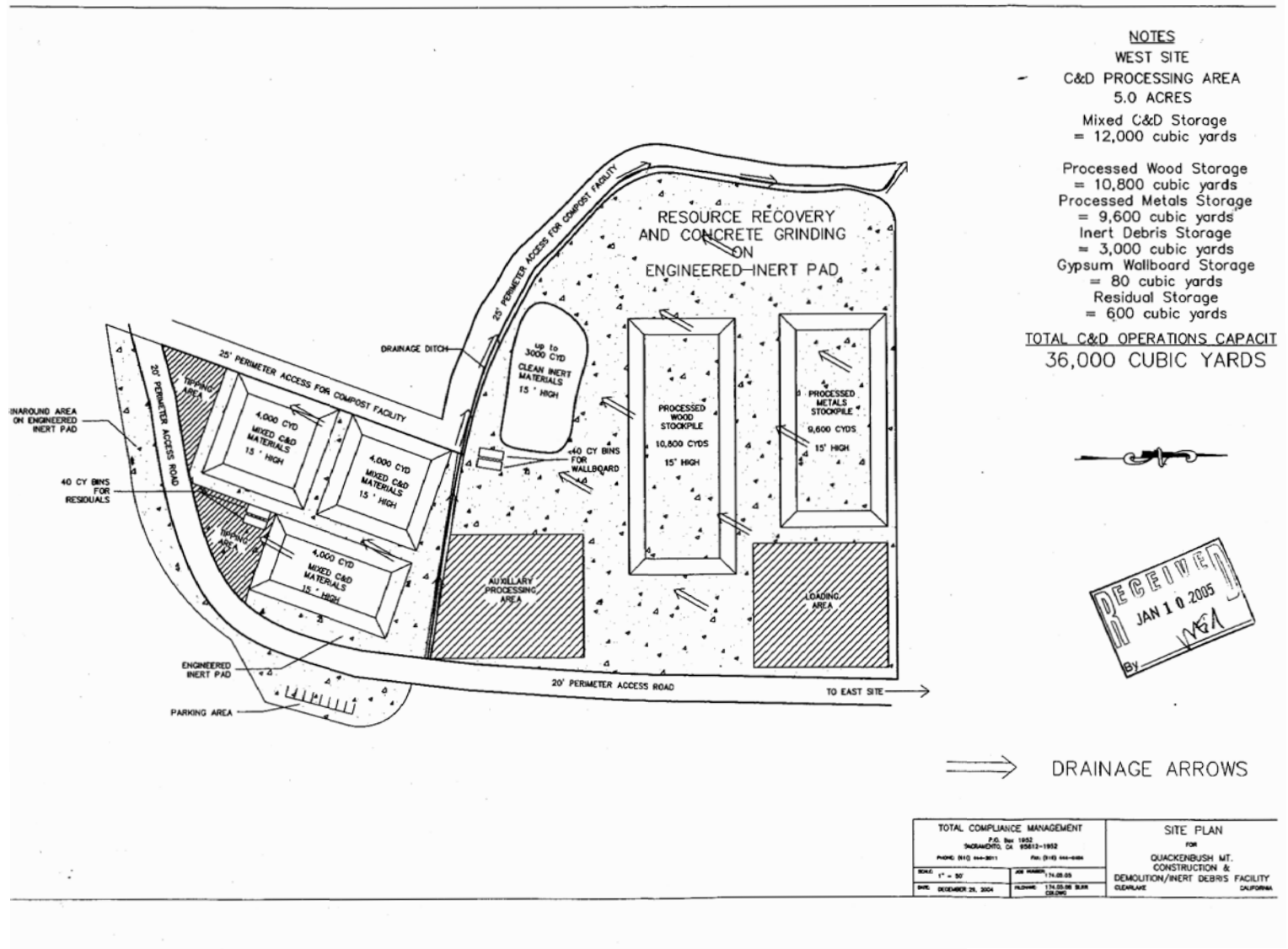
B. Opposition

Staff has not received any written opposition regarding this agenda item.

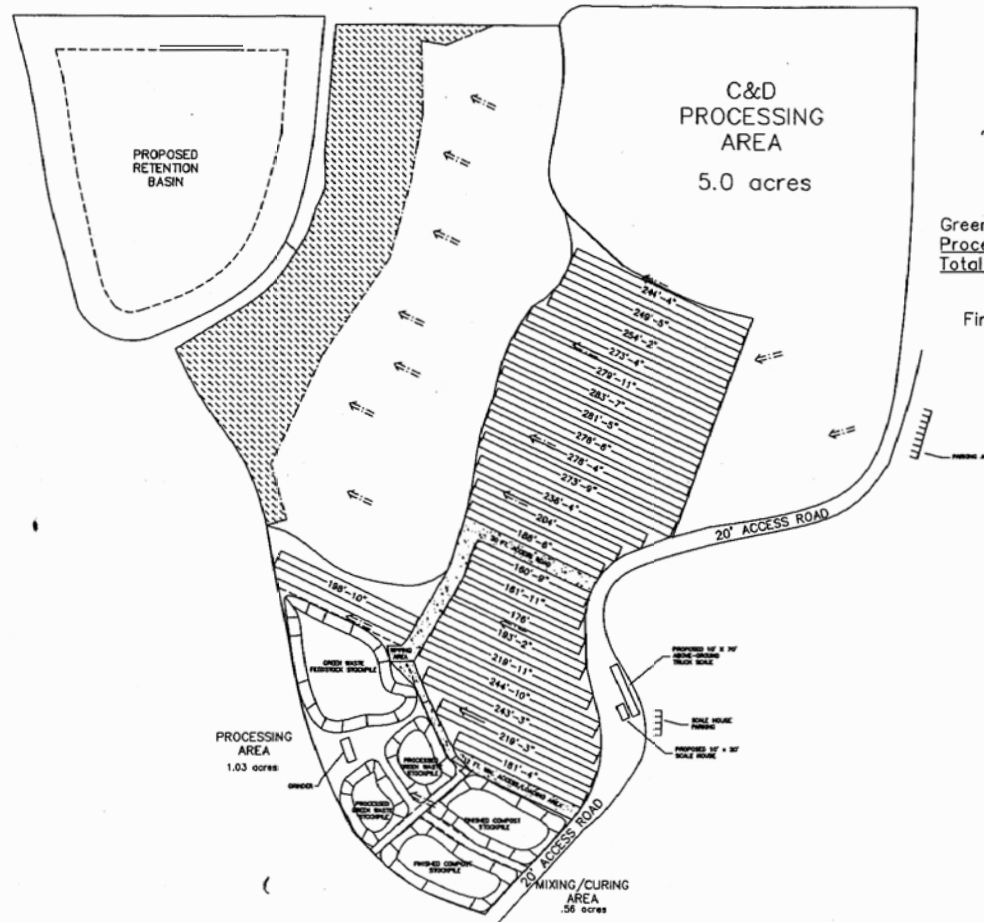


South Lake Resource Recovery and Compost Facility on
Quackenbush Mountain

Location Map



112



NOTES
PHASE 1 COMPOSTING OPERATIONS
5.0 ACRES

ELONGATED WINDROWS
~5325 ft. of windrow @ 3.5 cubic yards/ft
= ~18650 cubic yards

PROCESSING AREA
Green Waste Feedstock Storage = 8250 cubic
Processed Green Waste Storage = 4750 cubic
Total Processing Area Storage = 13,000 cubic

MIXING/CURING AREA
Finished Compost Storage = 9,250 cubic yards

TOTAL COMPOSTING OPERATIONS CAPACITY
40,900 CUBIC YARDS

RECEIVED
JAN 10 2005
By: *MSA*

→ DRAINAGE ARROWS

TOTAL COMPLIANCE MANAGEMENT		SITE PLAN	
P.O. Box 1852 SACRAMENTO, CA 95812-1852		FOR QUACKENBUSH MT. COMPOST FACILITY	
PHONE: (916) 444-2811 FAX: (916) 444-0444		DATE: DECEMBER 18, 2004	
SCALE: 1" = 140'		DRAWN: 1/14/05	
DATE: DECEMBER 18, 2004		REVISION: 1/14/05	
		CHECKED: CAUFOR	

17-AA-0014

Pestoni Brothers
1285 Whitehall Lane,
St. Helena, Ca 94574

County of Lake
Environmental Health Division
922 Bevins Ct.
Lakeport, CA 95453

8. CIWMB Concurrence Date:

9. Permit Issued Date:	10. Permit Review Due Date:	11. Owner/Operator Transfer Date:
SOLID WASTE FACILITY PERMIT		Facility Number: 17-AA-0014

12. Legal Description of Facility: The legal description of this facility is contained in <u>Appendix B</u> of the Report of Facility Information.
13. Findings: <ul style="list-style-type: none">a. This permit is consistent with the Lake County Integrated Waste Management Plan, which was approved by the CIWMB on December 17, 1998. The location of the facility is identified in the Nondisposal Facility Element pursuant to Public Resources Code (PRC), Section 50001(a).b. This permit is consistent with the standards adopted by the CIWMB, pursuant to PRC 44010.c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the enforcement agency, pursuant to PRC 44009.d. The Lake County Fire Protection District conformance with applicable fire standards, pursuant to PRC, 44151- pending.e. The Mitigated Negative Declaration was filed with the State Clearinghouse (SCH #2003112049) and subsequently adopted by the Lake County Planning Commission on December 11, 2003. The project was approved by the Lake County Board of Supervisors on December 23, 2003. The Mitigated Negative Declaration describes and supports the design and operation which will be authorized by the issuance of this permit. The Lake County Community Development Department filed a Notice of Determination with the County Clerk on December 31, 2003.f. Lake County Air Quality Management District-permit approval is pending.
14. Prohibitions: The permittee is prohibited from accepting the following wastes: Hazardous, radioactive, medical (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), liquid, designated, or other wastes requiring special treatment or handling, except as identified in the Report of Facility Information and approved amendments thereto and as approved by the enforcement agency and other federal, state, and local agencies. Other prohibited wastes include treated wood, friable asbestos, animal flesh or parts, ashes, biosolids, pumpings or septage from grease traps, septage tanks, and sewage sludge, liquid waste and the composting of mammalian tissue and the carcasses of animals with any contagious disease. The acceptance and processing of non-hazardous solid waste is limited to construction and demolition debris, inert type A debris, green material, agricultural commodities, additives, dry wall debris, and deconstruction of mobile homes. A load checking program will ensure that this facility does not accept any prohibited wastes and accepts no more than 1% by volume of putrescible waste in any given month. At no time shall this facility have on site any amount of putrescible waste that is contributing to a nuisance as determined by the LEA.
15. The following documents describe and/or restrict the operation of this facility:

	Date		Date
Report of Compost Site Information Attachments	12/29/2004	Preliminary Closure and Post closure Maintenance Plan	N/A
SOLID WASTE FACILITY PERMIT		Facility Number: 17-AA-0014	
Waste Discharge Requirements Order No R5-2004-0130	9/10/2004	Closure Financial Assurance Documentation	N/A
APCD Permit to Operate #	N/A	Operating Liability Certification	N/A
Mitigated Negative Declaration (SCH #2003112049) – BOS project approval	12/23/2003	Land Use and/or Conditional Use Permit	12/03
Construction & Demolition/Inert Debris Operations Plan	1/3/2005	Air Quality Management District Permit	pending
Odor Impact Minimization Plan	10/26/2004	Lake County Fire Protection District Permit	pending

16. Self Monitoring:

The owner/operator shall submit the results of all self monitoring programs to the Enforcement Agency within 30 days of the end of the reporting period as requested by the LEA. All records shall be maintained on-site for the time required.

Program	Reporting Frequency
a. The types and quantities (in tons) of all wastes entering the facility per day, finished products shipped out, and residuals sent for disposal.	Quarterly
b. The number and types of vehicles using the facility per day.	Quarterly
c. Results of the screening/load checking program, including the quantities and types of hazardous wastes, medical wastes or otherwise prohibited wastes found in the waste stream and the disposition of these materials. The facility shall document that the total monthly tonnage of prohibited waste as defined in Section 14 is less than 1% by weight.	Quarterly
d. Copies of all written and verbal complaints regarding this facility and the operator's actions taken to resolve these complaints.	Quarterly
e. Total cubic yards on-site of all compostable materials (including all green waste, feedstock, active composting material and finished composting material).	Quarterly

SOLID WASTE FACILITY PERMIT

Facility Number:

17-AA-0014

17. Enforcement Agency (EA) Conditions:

- a. The operator shall comply with all State Minimum Standards for solid waste handling and disposal as specified in Title 14, California Code of Regulations.
- b. The operator shall maintain a log of special/unusual occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and the EA at all times.
- c. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame specified by the EA.
- d. The maximum permitted daily tonnage for this facility is 460 tons per day, and shall not receive more than this amount without a revision of this permit.
- e. This permit is subject to review by the EA and may be suspended, revoked, or revised at any time for sufficient cause.
- f. The EA reserves the right to suspend or modify waste receiving and handling operations when deemed necessary due to an emergency, a potential health hazard, or the creation of a public nuisance.
- g. Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit is prohibited. Such a change may be considered a significant change, requiring a permit revision. In no case shall the operator implement any change without first submitting a written notice of the proposed change, in the form of an RFI amendment, to the EA at least 180 days in advance of the change.
- h. A copy of this permit shall be maintained at the facility.
- i. The facility operator shall comply with the LEA approved Odor Impact Minimization Plan. The Odor Impact Minimization Plan shall be revised to reflect any changes, and a copy shall be provided to the LEA, within 30 days of those changes. The Odor Impact Minimization Plan shall be reviewed annually by the operator and certified to determine if any revisions are necessary.
- j. The operator shall comply with all the requirements of all applicable laws pertaining to employee's health and safety. The operator shall ensure that comprehensive site safety evaluations are conducted at this facility and shall maintain a written employee injury and illness prevent plan (IIPP) on site that meets all provisions of the California Code of Regulations, Title 8, Section 3203. This document must be available to all personnel, LEA and other regulatory agencies.
- k. The LEA reserves the right to request and receive from the owner/operator any information that it deems necessary to conduct an inspection or to review and/or pertains to the Solid Waste Facility Permit.
- l. All green waste activities and related activities shall be conducted in a manner that precludes the attraction, breeding, and/or harborage of vectors.
- m. All regulatory notices (e.g. Notice to Comply, Notice of Violation, Notice & Order, Cease & Desist Order, Clean-up and Abatement Order) received by the facility and the operator's action in response shall be maintained on site at the facility in a file and provided to the LEA upon request.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-33 (Revised)

Consideration Of A New Full Solid Waste Facilities Permit (Transfer/Processing Station, Compostable Materials Handling Facility) For The South Lake Resource Recovery and Compost Facility On Quackenbush Mountain, Lake County

WHEREAS, the Lake County Environmental Health Division acting as the Local Enforcement Agency (LEA), has submitted to the Board for its review and concurrence with, or objection to a new Transfer/Processing Station Permit for the South Lake Resource Recovery and Compost Facility on Quackenbush Mountain; and

WHEREAS, the operator has a Compostable Materials Handling Operation located at 16530 Davis Avenue approximately 2.5 miles south of the City of Clear Lake in southeast Lake County and proposes to operate a new Transfer/Processing Station on the same site; and

WHEREAS, the operator proposes to increase the permitted daily tonnage for the entire site from 100 tons per day (tpd) to 460 tpd [200 tpd for construction and demolition (C&D)] debris and 260 tpd for compostable materials); add a new C&D Debris Processing Facility with a design capacity of 6,000 tons on site at any one time; and increase the design capacity of the existing Compostable Materials Handling Operation from 12,500 cubic yards (100 tpd) of total compostable materials to 60,000 cubic yards (260 tpd) of total compostable materials on site at any one time at a new Compostable Materials Handling Facility; and

WHEREAS, the LEA has certified that the application package is complete and correct; and

WHEREAS, the LEA has concluded that the proposed permit is consistent with and supported by the California Environmental Quality Act documentation; and

WHEREAS, the Lake County Community Development Department acting as lead agency, prepared and circulated a Mitigated Negative Declaration (MND), State Clearinghouse (SCH) No. 2003112049, and the Lake County Board of Supervisors approved and adopted it on December 23, 2003; and

WHEREAS, upon receipt of the proposed permit and application package, Board staff evaluated the proposed permit and application package for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds that the proposed permit is consistent with the Lake County Non-disposal Facility Element (NDFE) and therefore, in conformance with Public Resources Code (PRC), Section 50001; and

(over)

WHEREAS, the Board finds that the proposed permit is consistent with the California Environmental Quality Act; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met; and

WHEREAS, Public Resources Code 44009 requires the Board not to concur in the issuance of a permit if it is not consistent with adopted standards; and the Board ~~[finds/does not find]~~ the facility is in compliance with all applicable State Minimum Standards

WHEREAS, the Board has determined that the operator is noncompliant with Title 14 California Code of Regulations Section 17869(h) Training.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board [~~concurs/does not concur~~] in the issuance of Solid Waste Facility Permit No. 17-AA-0014.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Date:

Mark Leary
Executive Director